

United States Bankruptcy Court  
Middle District of Pennsylvania

In re:  
MaryEllen Payne  
Debtor(s)

Case No. 20-02682-RNO  
Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0314-5  
Date Rcvd: Oct 19, 2020

User: AutoDocket  
Form ID: pdf002

Page 1 of 2  
Total Noticed: 30

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.P.2002(g)(4).

**Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 21, 2020:**

Recip ID	Recipient Name and Address
db	+ MaryEllen Payne, 180 Ice Lake Drive, Mountain Top, PA 18707-9654
cr	Americredit Financial Services, Inc. Db a GM Finan, Db a GM Financial, P.O Box 183853, TX 76096
5357777	+ Chrysler Capital, PO Box 961245, Fort Worth TX 76161-0244
5357778	Commonwealth Health, PO Box 637289, Cincinnati OH 45263-0877
5357783	+ Elite Revenue Solutions, 200 N River Street, Wilkes Barre PA 18702-2405
5357784	+ First Premier Bank, 3820 N Louise Avenue, Sioux Falls SD 57107-0145
5357785	Geisinger, 100 North Academy Ave, Danville PA 17822-3941
5357787	+ John Fisher, 126 South Main Street, Pittston PA 18640-1739
5357788	+ Luzerne County Tax Claim Bureau, 200 North River Street, Wilkes-Barre PA 18711-1004
5357791	Mountain Top Sanitary Authority, 129 Morio Drive, Mountain Top PA 18707
5357793	+ Northeast Revenue Service LLC, 200 North River Street, Wilkes Barre PA 18711-1004
5358919	+ Santander Consumer USA, Inc., d/b/a Chrysler Capital, P.O. Box 961275, Fort Worth, TX 76161-0275
5365386	+ Santander Consumer USA, Inc., d/b/a Chrysler Capit, P.O. Box 961245, Fort Worth, TX 76161-0244
5357794	+ Split Rock Galleria, Financial Services, PO Box 547C, Lake Harmony PA 18624-0820
5357795	+ Split Rock Resort, 100 Moseywood Road, PO Box 19, Lake Harmony PA 18624-0019
5357796	+ Stabilis Split Rock JV, LLC, PO Box 547-B, Lake Harmony PA 18624-0819
5357797	+ Vacation Charters, 6560 N. Scottsdale Road, #F105, Scottsdale, AZ 85253-4412

TOTAL: 17

**Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.**

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
5365064	Email/Text: GMFINANCIAL@EBN.PHINSOLUTIONS.COM	Oct 19 2020 18:52:00	Americredit Financial Services, Inc., Db a GM Financial, P.O Box 183853, Arlington, TX 76096
5357780	Email/Text: ebnnotifications@creditacceptance.com	Oct 19 2020 18:52:00	Credit Acceptance Corporation, 25505 W 12 Mile Rd, Southfield MI 48034-1846
5357782	+ Email/PDF: MerrickBKNotifications@Resurgent.com	Oct 19 2020 19:01:29	CW Nexus Credit Card Holdings, 101 Crossways Park, Woodbury NY 11797-2020
5361091	Email/PDF: MerrickBKNotifications@Resurgent.com	Oct 19 2020 19:01:30	CW Nexus Credit Card Holdings I, LLC, Resurgent Capital Services, PO Box 10368, Greenville, SC 29603-0368
5357775	+ Email/PDF: AIS.cocard.ebn@americaninfosource.com	Oct 19 2020 19:01:41	Capital One, PO Box 30281, Salt Lake City UT 84130-0281
5357776	+ Email/Text: BKBCNMAIL@carringtonms.com	Oct 19 2020 18:52:00	Carrington Mortgage Services LLC, 1600 South Douglass Road, Anaheim, CA 92806-5951
5358275	+ Email/Text: bankruptcy@cavps.com	Oct 19 2020 18:52:00	Cavalry SPV I, LLC, 500 Summit Lake Drive, Ste 400, Valhalla, NY 10595-2321
5357781	+ Email/Text: ebnnotifications@creditacceptance.com	Oct 19 2020 18:52:00	Credit Acceptance Corporation, PO Box 513, Southfield MI 48037-0513
5357779	Email/Text: ebnnotifications@creditacceptance.com	Oct 19 2020 18:52:00	Credit Acceptance Corporation, PO Box 5070, Southfield MI 48086-5070

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5357786	+ Email/Text: GMFINANCIAL@EBN.PHINSOLUTIONS.COM	Oct 19 2020 18:52:00	GM Financial, PO Box 181145, Arlington TX 76096-1145
5357790	+ Email/Text: mmrgbk@miramedrg.com	Oct 19 2020 18:52:00	MiraMed Revenue Group LLC, 360 E. 22nd St., Lombard IL 60148-4924
5357792	+ Email/PDF: pa_dc_claims@navient.com	Oct 19 2020 19:01:32	Navient, 123 Justiston Street 3rd Floor, Wilmington, DE 19801-5363
5362579	+ Email/Text: RVSVCBICNOTICE1@state.pa.us	Oct 19 2020 18:52:00	PA Department of Revenue, Bankruptcy Division, PO Box 280946, Harrisburg, PA 17128-0946

TOTAL: 13

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr	*+	Santander Consumer USA, Inc., d/b/a Chrysler Capit, P.O. Box 961245, Fort Worth, TX 76161-0244
5365065	*P++	AMERICREDIT FINANCIAL SERVICES DBA GM FINANCIAL, PO BOX 183853, ARLINGTON TX 76096-3853, address filed with court., Americredit Financial Services, Inc., Dba GM Financial, P.O Box 183853, Arlington, TX 76096
5357789	*+	MaryEllen Payne, 180 Ice Lake Drive, Mountain Top PA 18707-9654

TOTAL: 0 Undeliverable, 3 Duplicate, 0 Out of date forwarding address

## NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 21, 2020

Signature: /s/Joseph Speetjens

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 19, 2020 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor THE BANK OF NEW YORK MELLON F/K/A The Bank of New York as trustee for registered Holders of CWABS, Inc., Asset-Backed Certificates, Series 2004-12 bnicholas@kmlawgroup.com
Charles J DeHart, III (Trustee)	TWecf@pamd13trustee.com
John Fisher	on behalf of Debtor 1 MaryEllen Payne johnvfisher@yahoo.com fisherlawoffice@yahoo.com
United States Trustee	ustpregion03.ha.ecf@usdoj.gov
William E. Craig	on behalf of Creditor Santander Consumer USA Inc., d/b/a Chrysler Capital ecfmail@mortoncraig.com, mortoncraigecef@gmail.com

TOTAL: 5

IN RE:  
**MARY ELLEN PAYNE,**

<u>X</u>	ORIGINAL PLAN
<u>    </u>	AMENDED PLAN (Indicate 1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> , etc.)
<u>1</u>	Number of Motions to Avoid Liens
<u>1</u>	Number of Motions to Value Collateral

Start mm/yyyy	End mm/yyyy	Plan Payment	Estimated Conduit Payment	Total Monthly Payment	Total Payment Over Plan Tier
10/2020	12/2020	\$ 140	N/A	\$ 140	\$ 420
01/2021	02/2021	\$ 0	N/A	\$ 0	\$ 0
03/2021	01/2022	\$ 33	N/A	\$ 33	\$ 363
02/2022	11/2022	\$ 130	N/A	\$ 130	\$ 1,300
12/2022	03/2023	\$ 360	N/A	\$ 360	\$ 1,440
04/2023	07/2023	\$ 770	N/A	\$ 770	\$ 3,080
08/2023	09/2025	\$ 900	N/A	\$ 900	\$ 23,400
				Total Payments:	\$ 30,003

2. If the plan provides for conduit mortgage payments, and the mortgagee notifies the Trustee that a different payment is due, the Trustee shall notify the Debtor and any attorney for the Debtor, in writing, to adjust the conduit payments and the plan funding. Debtor must pay all post-petition mortgage payments that come due before the initiation of conduit mortgage payments.

3. Debtor shall ensure that any wage attachments are adjusted when necessary to conform to the terms of the plan.

4. CHECK ONE: ( ) Debtor is at or under median income. *If this line is checked, the rest of § 1.A.4 need not be completed or reproduced.*

(X) Debtor is over median income. Debtor estimates that a minimum of \$ 2,248.80 must be paid to allowed unsecured creditors in order to comply with the Means Test.

**B. Additional Plan Funding From Liquidation of Assets/Other**

1. The Debtor estimates that the liquidation value of this estate is \$ 0. (Liquidation value is calculated as the value of all non-exempt assets after the deduction of valid liens and encumbrances and before the deduction of Trustee fees and priority claims.)

*Check one of the following two lines.*

X No assets will be liquidated. *If this line is checked, the rest of § 1.B need not be completed or reproduced.*

**2. SECURED CLAIMS.**

**A. Pre-Confirmation Distributions. Check one.**

X None. *If "None" is checked, the rest of § 2.A need not be completed or reproduced.*

**B. Mortgages (Including Claims Secured by Debtor's Principal Residence) and Other Direct Payments by Debtor. Check one.**

       None. If "None" is checked, the rest of § 2.B need not be completed or reproduced.

  X   Payments will be made by the Debtor directly to the creditor according to the original contract terms, and without modification of those terms unless otherwise agreed to by the contracting parties. All liens survive the plan if not avoided or paid in full under the plan.

Name of Creditor	Description of Collateral	Last Four Digits of Account Number
GM Financial	2017 Chevrolet Cruz	N/A
Carrington Mortgage	Debtor's Residence at 180 Ice Lake Drive, Mountaintop, Luzerne County, Pennsylvania	N/A

**C. Arrears, including, but not limited to, claims secured by Debtor's principal residence. Check one.**

  X   None. If "None" is checked, the rest of § 2.C need not be completed or reproduced.

**D. Other secured claims (conduit payments, claims for which a § 506 valuation is not applicable, etc.)**

       None. If "None" is checked, the rest of § 2.D need not be completed or reproduced.

  X   The claims below are secured claims for which a § 506 valuation is not applicable, and can include: (1) claims that were either (a) incurred within 910 days of the petition date and secured by a purchase money security interest in a motor vehicle acquired for the personal use of the Debtor, or (b) incurred within 1 year of the petition date and secured by a purchase money security interest in any other thing of value; (2) conduit payments; or (3) secured claims not provided for elsewhere.

1. The allowed secured claims listed below shall be paid in full and their liens retained until the earlier of the payment of the underlying debt determined under nonbankruptcy law or discharge under § 1328 of the Code.
2. In addition to payment of the allowed secured claim, present value interest pursuant to 11 U.S.C. §1325(a)(5)(B)(ii) will be paid at the rate and in the amount listed below, unless an objection is raised. If an objection is raised, then the court will determine the present value interest rate and amount at the confirmation hearing.

3. Unless otherwise ordered, if the claimant notifies the Trustee that the claim was paid, payments on the claim shall cease.

Name of Creditor	Description of Collateral	Principal Balance of Claim	Interest Rate	Total to be Paid in Plan
Luzerne Country Tax Claim Bureau	Debtor's Residence	\$ 16,522.29	9%	\$ 20,578.80

**E. Secured claims for which a § 506 valuation is applicable.** *Check one.*

X None. *If "None" is checked, the rest of § 2.E need not be completed or reproduced.*

**F. Surrender of Collateral.** *Check one.*

       None. *If "None" is checked, the rest of § 2.F need not be completed or reproduced.*

X The Debtor elects to surrender to each creditor listed below the collateral that secures the creditor's claim. The Debtor requests that upon confirmation of this plan or upon approval of any modified plan the stay under 11 U.S.C. §362(a) be terminated as to the collateral only and that the stay under §1301 be terminated in all respects. Any allowed unsecured claim resulting from the disposition of the collateral will be treated in Part 4 below.

Name of Creditor	Description of Collateral to be Surrendered
Vacation Charters/Splitrock Galleria	Splitrock/Galleria Time Share

**G. Lien Avoidance.** *Do not use for mortgages or for statutory liens, such as tax liens. Check one.*

       None. *If "None" is checked, the rest of § 2.G need not be completed or reproduced.*

X The Debtor moves to avoid the following judicial and/or nonpossessory, non-purchase money liens of the following creditors pursuant to § 522(f) (this § should not be used for statutory or consensual liens such as mortgages).

Name of Lien Holder.	<b>Geisinger</b>		
Lien Description. (For a judicial lien, include court and docket number.)	2010-CV-2612 Luzerne County		
Description of the lien property.	Debtor's Residence		
Liened Asset Value	\$ 450,000		
Sum of Senior Liens	\$ 453,659.29		
Exemption Claimed	\$ 0		
Amount of Lien	\$ 936		
Amount Avoided	\$936		

### 3. PRIORITY CLAIMS.

#### A. Administrative Claims

1. Trustee's Fees. Percentage fees payable to the Trustee will be paid at the rate fixed by the United States Trustee.
2. Attorney's fees. Complete only one of the following options:
  - a. In addition to the retainer of **\$ 0** already paid by the Debtor, the amount of **\$ 4,000** in the plan. This represents the unpaid balance of the presumptively reasonable fee specified in L.B.R. 2016-2(c); or
  - b. \$ \_\_\_\_\_ per hour, with the hourly rate to be adjusted in accordance with the terms of the written fee agreement between the Debtor and the attorney. Payment of such lodestar compensation shall require a separate fee application with the compensation approved by the Court pursuant to L.B.R. 2016-2(b).
3. Other. Other administrative claims not included in §§ 3.A.1 or 3.A.2 above.  
*Check one of the following two lines.*

  X   None. If "None" is checked, the rest of § 3.A.3 need not be completed or reproduced.

#### B. Priority Claims (including certain Domestic Support Obligations).

Allowed unsecured claims, entitled to priority under § 1322(a) will be paid in full unless modified under § 9.

Name of Creditor	Estimated Total Payment

**C. Domestic Support Obligations assigned to or owed to a governmental unit under 11 U.S.C. §507(a)(1)(B).** Check one of the following two lines.

X None. If "None" is checked, the rest of § 3.C need not be completed or reproduced.

**4. UNSECURED CLAIMS**

**A. Claims of Unsecured Nonpriority Creditors Specially Classified.** Check one of the following two lines.

X None. If "None" is checked, the rest of § 4.A need not be completed or reproduced.

**B. Remaining allowed unsecured claims will receive a pro-rata distribution of funds remaining after payment of other classes.**

**5. EXECUTORY CONTRACTS AND UNEXPIRED LEASES.** Check one of the following two lines.

       None. If "None" is checked, the rest of § 5 need not be completed or reproduced.

X The following contracts and leases are assumed (and arrears in the allowed claim to be cured in the plan) or rejected:

Name of Creditor	Description of Contract or Lease	Monthly Payment	Interest Rate	Estimated Arrears	Total Plan Payment	Assume or Reject
Vacation Charters/Splitrock Galleria	Timeshare Agreement	N/A	N/A	N/A	\$ 0	Reject

**6. VESTING OF PROPERTY OF THE ESTATE.**

**Property of the estate will vest in the Debtor upon**

*Check the applicable line:*

- plan confirmation.  
X entry of discharge.  
       closing of case:



**7. DISCHARGE: (Check one)**

- (X) The debtor will seek a discharge pursuant to § 1328(a).  
( ) The debtor is not eligible for a discharge because the debtor has previously received a discharge described in § 1328(f).

**8. ORDER OF DISTRIBUTION:**

If a pre-petition creditor files a secured, priority or specially classified claim after the bar date, the Trustee will treat the claim as allowed, subject to objection by the Debtor.

Payments from the plan will be made by the Trustee in the following order:

Level 1	Adequate protection payments	\$ -0-	
Level 2	Debtor's attorney's fees.	\$ 4,000	
Level 3	Domestic Support Obligations	\$ -0-	
Level 4	Priority claims, pro rata	\$ -0-	
Level 5	Secured claims, pro rata	\$ 20,578.80	
Level 6	Specially classified unsecured claims	\$ -0-	
Level 7	General unsecured claims		
Level 8	Untimely filed unsecured claims to which the debtor(s) has/have not objected.	\$ -0-	
	Subtotal		\$ 27,003
	Trustee Commission (Estimated at 10%)	\$ 3,000	
	Total		\$ 30,003

*If the above Levels are filled in, the rest of § 8 need not be completed or reproduced.*

**9. NONSTANDARD PLAN PROVISIONS**

**Include the additional provisions below or on an attachment. Any nonstandard provision placed elsewhere in the plan is void. (NOTE: The plan and any attachment must be filed as one document, not as a plan and exhibit.)**

- A. This Plan contains a chart in Section 8, above, that contains estimated distributions to each class of creditors, in addition to all other items required by the Model Plan.

**B.** This Plan provides for the avoidance of a judgment lien of **Geisinger**. See Section 2.G, above. A copy of this Plan and the Discharge Order entered in the case may be filed in the appropriate office of the Court of Common Pleas of **Luzerne** County to demonstrate the judgment lien of **Geisinger** was avoided.

Dated: September 8, 2020

/s/ John Fisher  
John Fisher, Esquire, Attorney for Debtor

/s/ MaryEllen Payne  
**MARYELLEN PAYNE**, Debtor

By filing this document, the debtor, if not represented by an attorney, or the Attorney for Debtor also certifies that this plan contains no nonstandard provisions other than those set out in § 9.